

Notice of Allowability

Application No.

10/058,164

Examiner

Jacob F. Betit

Applicant(s)

HOLMGREN, STEVE

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/13/04.
2. ☒ The allowed claim(s) is/are 1-51.
3. ☒ The drawings filed on 25 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CHARLES RONF
PRIMARY EXAMINER

DETAILED ACTION

Remarks

1. In response to the communications filed on 13-September-2004, claims 1, 18, 19, 25, 26, 28, 30, 34, 35, and 44 have been amended per applicant's request. Claims 1-51 are pending in the application.

Allowable Subject Matter

2. Claims 1-51 are allowed over the prior art made of record.

3. The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

determining a data locking level based on a deadlock history corresponding to the data locality; and

providing access to the data while locking part of the database based on the data locking level, as claimed in claim 1.

Claims 2-14 are allowed over the prior art made of record because they are dependent from allowed independent claim 1.

The prior art of record does not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

Art Unit: 2164

comparing a deadlock history corresponding to the data locality to a plurality of deadlock threshold levels;

determining a data locking level based on a result of the comparing; and

locking the database based on the data locking level, as claimed in claims 15 and 21.

Claims 16-20 are allowed over the prior art made of record because they are dependent from allowed independent claim 15.

Claims 22-27 are allowed over the prior art made of record because they are dependent from allowed independent claim 21.

The prior art of record does not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

a deadlock analysis module to determine a data locking level by comparing a number of deadlocks corresponding to the data locality that occurred in a predetermined period of time to a deadlock threshold level and to lock the database based on the data locking level, as claimed in claim 28.

Claims 29-34 are allowed over the prior art made of record because they are dependent from allowed independent claim 28.

Art Unit: 2164

The prior art of record does not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

means for determining a data locking level based on a deadlock history corresponding to the data locality; and

means for providing access to the data while locking part of the database based on the data locking level, as claimed in claim 35.

Claims 36-43 are allowed over the prior art made of record because they are dependent from allowed independent claim 35.

The prior art of record does not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

determining a data locking level based on a deadlock history corresponding to the data locality; and

providing access to the data while locking part of the database based on the data locking level, as claimed in claim 44.

Claims 45-51 are allowed over the prior art made of record because they are dependent from allowed independent claim 44.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2164

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. patent No. 6,647,517 B1 to Dickey et al. for teaching providing error log and error ordering information for errors including deadlock errors.

U.S. patent No. 6,665,818 B1 to Dickey et al. for teaching detecting diagnosing and handling deadlock errors.

U.S. patent application publication No. 2004/0054643 A1 to Vemuri et al. for teaching transaction logging in a database system.

U.S. patent No. 6,785,893 B2 to Morris et al. for teaching an event tracker having separate storage for interrupt and non-interrupt events.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob F. Betit whose telephone number is (571) 272-4075. The examiner can normally be reached on Monday through Friday 9 am to 5 pm.

Art Unit: 2164

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (571) 272-4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CHARLES RONES
PRIMARY EXAMINER

jfb
2 Feb 2005